

August 6, 2003

**Public Notice for 401 Certification and/or Waste Discharge Requirements (Dredge/Fill Projects)**

**Gallo of Sonoma, Frei Road Wetland Project, WDID No. 1B03135WNSO  
Sonoma County**

On July 18, 2003, the North Coast Regional Water Quality Control Board (Regional Water Board) received an application from LSA Associates, Inc., on behalf of Gallo Vineyards, Inc., requesting a Water Quality Certification and/or Waste Discharge Requirements (Dredge/Fill Projects), for a fill project involving an onsite man-made pond. Additional application information was received by the Regional Water Board on August 6, 2003. The proposed project is located on Gallo Vineyards, Inc., property located south of Guerneville Road and east of Frei Road, (property address 4301 Frei Road, Graton, CA) approximately ½ mile northeast of Graton (Township 7 North, Range 9 West of the Sebastopol 7.5-minute USGS quadrangle).

The proposed project consists of the transformation of 16.5 acres of a man-made pond into a combination of seasonal wetland, perennial wetland and open water habitat. The pond was created in 1979 in a former wetland area as a means to provide recreation for Gallo employees. It is hydrologically connected to the Laguna de Santa Rosa via floodgates that are used to regulate flow into and out of the pond.

The proposed project provides for additional wetland restoration in association with wetland creation already approved in *The Cotati Vineyard Wetland Mitigation Plan* developed under Consent Decree No. C01-3350 (Army Corp of Engineers file 22517N). The approved consent decree project will create 12.5 acres of seasonal wetland in order to mitigate the impact to 12.5 acres of wetlands during the construction of a 318-acre Gallo vineyard in Cotati, CA. Excavated fill from this approved project is proposed to be used to partially fill the man-made pond to a level that will transform the pond into a complex of islands, open water, perennial wetland and seasonal wetland (wetland complex).

Replanting of the newly created wetland complex would involve native wetland plants and grasses, similar to those being employed in *The Cotati Vineyard Wetland Mitigation Plan*. In order to preserve any existing seed bank and organic material, the top 12 inches of topsoil would be stockpiled separately and spread out on top of the fill material as the final surface layer forming wetland complex. Gallo personnel would be charged with ensuring that all plants and grasses are sufficiently irrigated during the first several years of growth to ensure their survival.

As the filling of the pond requires more soil than that being excavated as per the consent decree project, Gallo is proposing to expand these approved wetlands by an additional 1.3 acres. Mitigation for filling the pond (waters of the state) includes the restoration of the pond area and the creation of 1.3 acres of wetlands over that required by the settlement action. In addition, Gallo has proposed to restore and donate an additional 7 acres of upland habitat adjacent to the mitigation area. This upland habitat is acreage that was formerly used for the production of grapes, which will be a dedicated upland buffer area with a complex mixture of habitat suitable for a variety of aquatic and terrestrial wildlife. The long-term success of this mitigation proposal would be monitored in conjunction with conditions in Regional Water Board 401 certification.

At this time the Regional Water Board is in the process of reviewing the proposed project regarding the issuance of the 401 Certification Permit. In addition, the Regional Water Board will consider all comments received during a 21-day comment period that begins on the first date of issuance of this letter. If you have any questions or comments, please contact staff member Paul Keiran by email at [KeirP@rbl.swrcb.ca.gov](mailto:KeirP@rbl.swrcb.ca.gov), or send comments to the Regional Water Quality Control Board, 5550 Skylane Boulevard, Santa Rosa, CA 95403.